

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOHN DOE #1 AND JOHN DOE #2,
Plaintiffs,
v.
TWITTER, INC.,
Defendant.

Case No. 3:21-cv-00485-JCS

**[PROPOSED] ORDER GRANTING
DEFENDANT TWITTER, INC.'S MOTION
FOR LEAVE TO FILE MOTION FOR
RECONSIDERATION AND GRANTING
RECONSIDERATION**

Hearing Date: November 19, 2021
Hearing Time: 9:30 a.m.
Judge: Honorable Joseph C. Spero

Defendant Twitter, Inc.'s ("Twitter") Motion for Leave to File Motion for Reconsideration or, in the Alternative Motion for an Order Permitting an Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) (the "Motion") regarding the Court's order on Twitter's Motion to Dismiss Plaintiffs' First Amended Complaint (ECF No. 69, the "Order") was heard on November 19, 2021 at 9:30 a.m. by this Court.

Having considered all papers filed in support of and in opposition to the Motion, any oral arguments of counsel, and all other pleadings and papers on file herein, the Court finds as follows:

- 1 1. Twitter's motion for leave to file a motion for reconsideration of the Order is **DENIED**.
- 2 2. Twitter's motion for an order permitting an interlocutory appeal pursuant to 28 U.S.C.
- 3 § 1292(b) is **GRANTED**.

4 Good cause appearing therefor, **IT IS HEREBY ORDERED** that Twitter's motion for
5 leave to file a motion for reconsideration is **DENIED** and Twitter's Motion for an order permitting
6 an interlocutory appeal pursuant to 28 U.S.C. § 1292(b) is **GRANTED**. The Court hereby amends
7 its order of August 19, 2021 (ECF No. 69) to certify the order for interlocutory review by the United
8 States Court of Appeals for the Ninth Circuit pursuant to 28 U.S.C. § 1292(b) and Federal Rule of
9 Appellate Procedure 5(a)(3). Twitter must seek leave from the Ninth Circuit for an order permitting
10 an interlocutory appeal pursuant to 28 U.S.C. § 1292(b) within 10 days of this Order.

11 **IT IS SO ORDERED.**

12
13 Dated: _____

The Hon. Joseph C. Spero
United States Magistrate Judge